

LEWIS BRISBOIS BISGAARD & SMITH LLP

Julian J. Pardini, Esq. SB# 133878
Stephen J. Liberatore, Esq. SB# 129772
One Sansome Street
Suite 1400, San Francisco, California 94104
Telephone: (415) 362-2580
Facsimile: (415) 434-0882

Attorneys for Defendant
AMCO INSURANCE COMPANY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CHRISTINE DOUGHERTY,

Plaintiff,

v.

AMCO INSURANCE COMPANY, and DOES
ONE through TWENTY, Inclusive,

Defendant.

CASE NO. C 07-01140 MHP

[PROPOSED] ORDER

Date: May __, 2008

Time: 2:00 p.m.

Dept.: 15 — Hon. Marilyn Hall Patel

The motion of Defendant AMCO Insurance Company (hereinafter "AMCO") for summary judgment, or, in the alternative, for partial summary judgment, came on regularly for hearing on May __, 2008, in Department 15 of the above-entitled Court, the Honorable Marilyn Hall Patel, Judge, presiding. Plaintiff Christine Dougherty ("Plaintiff"), appeared by counsel Stephen M. Murphy and David M. Porter; AMCO appeared by counsel Julian J. Pardini.

Having read and considered the opening, opposition, and reply briefs, and the exhibits submitted in support thereof, and having heard and considered the oral arguments of counsel,

THE COURT HEREBY ORDERS AND DECREES that AMCO's motion for summary judgment be, and hereby is, **GRANTED**.

[Or, alternatively:]

///

///

1 **THE COURT HEREBY ORDERS AND DECREES** that AMCO's motion for partial
2 summary judgment be, and hereby is, **GRANTED**, and the Court determines that Plaintiff is not
3 entitled to recover exemplary (punitive) damages.

4
5 It is so ordered.

6
7 Dated: _____

8 _____
9 Marilyn Hall Patel, Judge
10 United States District Court
11 Northern District of California

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

LEWIS BRISBOIS BISGAARD & SMITH LLP

ONE SANSOME STREET, SUITE 1400
SAN FRANCISCO, CALIFORNIA 94104
TELEPHONE (415) 362-2580